

On April 30, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 bags of beef and bone scrap, remaining in the original unbroken packages at Dagsboro, Del., alleging that the article had been shipped by the Consolidated By-Product Co., from Philadelphia, Pa., on or about March 29, 1930, and had been transported from the State of Pennsylvania into the State of Delaware, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "100 pounds Consolidated Beef & Bone Scrap, Guaranteed Analysis Protein 50% Min. \* \* \* Manufactured by Consolidated By-Product Co., \* \* \* Phila."

It was alleged in the libel that the article was misbranded in that the statement, "Guaranteed Analysis Protein 50% Min.," borne on the label, was false and misleading, and deceived and misled the purchaser when applied to an article containing a less amount of protein.

On October 31, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18410. Adulteration and misbranding of canned cherries. U. S. v. 23 Cases of Canned Cherries. Default decree of forfeiture and destruction. (F. & D. No. 24612. I. S. No. 013810. S. No. 2951.)**

Samples of canned cherries from the shipment herein described having been found to contain an excessive quantity of sugar sirup, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Ohio.

On March 14, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 cases of canned cherries at Toledo, Ohio, alleging that the article had been shipped by the Van Buren Canning Co., of Hartford, Mich., from Chicago, Ill., on July 26, 1929, and had been transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Van Buren County's Best Brand Red Sour Pitted Cherries in Heavy Syrup \* \* \* Van Buren County Canning Co., Hartford, Michigan."

It was alleged in the libel that the article was adulterated in that it contained an excessive amount of sugar sirup which had been substituted in part for cherries.

Misbranding was alleged for the reason that the statement on the label, "Red Sour Pitted Cherries in Heavy Syrup," borne on the label, was false and misleading and deceived and misled the purchaser.

On March 7, 1931, no claimant having appeared for the property, judgment of forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18411. Adulteration of tomato catsup. U. S. v. 49 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25244. I. S. No. 10637. S. No. 3539.)**

Samples of tomato catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On October 29, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 49 cases of tomato catsup, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Frazier Packing Co., Elwood, Ind., on or about October 4, 1930, and had been transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "At-Last-A Brand Extra Fancy Pure Foods Tomato Catsup \* \* \* Hensgen Peters Smith Co., Distributors, St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On June 30, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*